

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

TiVo Inc., a Delaware corporation,

Plaintiff,

v.

1. EchoStar Communications Corporation, a
Nevada corporation; 2. EchoStar DBS
Corporation, a Colorado corporation; 3. EchoStar
Technologies Corporation, a Texas corporation;
and 4. Echosphere Limited Liability Company, a
Colorado limited liability company,

Defendants,

And Related Counterclaims.

No. 2-04cv01 DF
(Judge Folsom)

**[PROPOSED] AMENDMENT TO
SCHEDULING ORDER**

Pursuant to the Joint Motion filed by the parties requesting an amendment to the Scheduling Order, the Court hereby enters the following Amendment to Scheduling Order:

1. The parties will file their opposition claim construction briefs on **May 12, 2005**.
2. Disclosure of expert testimony pursuant to Fed. R. Civ. P. 26 and Local Rule CV 26(b) shall be made by the party with the burden of proof on the issue by **May 16, 2005**. Thereafter, the other party shall have until **June 6, 2005**, to disclose rebuttal expert testimony
3. All discovery, including expert discovery, shall be commenced in time to be completed by **June 27, 2005**.
4. All motions to transfer, motions to dismiss, motions for summary judgment or other dispositive motions and *Daubert* motions shall be filed not later than **July 5, 2005**.
5. All other dates shall remain unchanged.

IT IS SO ORDERED.

Date: 5/11/05

A handwritten signature in black ink, appearing to read "David Johnson", written over a horizontal line.

UNITED STATES DISTRICT JUDGE

Approved as to form.

Dated: March 9, 2005

By: /s/ Paul A. Friedman (by instruction)

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Approved as to form.

Dated: March 9, 2005

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